PRIDAT. AUGUST 23, 1907. Fair and slightly warmer to-day and to-morrow; light to fresh

BLAME CANFIELD FOR FAILURE

VILLS BROS. & CO., FORCED TO AS-SIGN, SAY HE WELCHED.

His Lawyers Say the Firm Sold for His Account Without Authorization -At Any Rate He Lost, and the Street Is Glad Some of Its Money Came Back to It.

Mills Bros. & Co., bankers and brokers, of 71 Wall street, made a general assignment yesterday morning for the benefit of creditors, with liabilities of between \$100,000 and \$200,000, and a seat on the New York Stock Exchange worth about \$72,000, as the principal asset. The failure was ensidered of no importance in the Street from a financial point of view, but it was the all absorbing subject of conversation there when it became known, shortly after the announcement of the suspension on the floor of the Exchange at 11 o'clock, that the rouble was largely due to Richard Canfield of Forty-fourth street, Saratoga and other places. Wall Street said he welched.

The firm is composed of young men and was formed only two years ago. S. Frederic Mills, J. Harry Masson, Jr., and Philip C. Mills are the three partners. S. F. Mills, the senior member, is in the early thirties. and his brother, Philip O. Mills, who is the board member, has only been out of college two years. He was in the class of 1905 at Harrard and was very well known and liked there. He was secretary of his class and played on the varsity football team for three years.

It was suggested that the youth of the members accounted partly for the fact that last August Richard Canfield was allowed to open an account. At first he was on the bear side and made big profits. There was no trouble between him and his brokers then. That did not begin to develop until he turned to the bull side early this year and his profits began to slip away. "I am losing more money down in Wall Street." he said to a close friend of his at that time, "than I can make in legitimate

When this remark was repeated in the Street vesterday the brokers seemed very well satisfied to hear that the money which some of them had invested in Canfield's business" without much return except in the form of experience was finding its way back to the Street.

As to what happened after the tide turned the stories presented by Canfield and by Mills Bros. differ very materially. The whole matter would be brought to the courts. Canfield claims that Mills Bros. owe him several thousand dollars. On Thursday Mills Bros. offered to pay Canfield the amount they considered due him. which is said to be \$91,000, on condition that he would agree to give up his other claims. The offer was refused and Mills Bros, decided that in that event, with the difficulty they had along other lines in making collections on accounts due them, it was best to suspend. The assignment was made to Edward Harding of the law firm of Campbell, Harding & Pratt, and Mr. Campbell of the same firm became

Canfield is in Saratoga and refused yeserday to discuss the matter. H. Snowden Marshall of Battle & Marshall, his counsel presented his side of the case.

"Mr. Canfield," he said, "has at sil times kept his margin at Mills Bros. intact, and has always responded to notices from them for an increase of funds on deposit. He charges that the brokers have made transactions involving the loss of several hundred thousand dollars without getting any authority from him. He has done no further business with them since early in the authorised transaction, but it was some time prior to March 14. Since that time he has been threatening to bring suit for the amount which he claims is due him, but has obtained no satisfaction.

Frank A. Lord of Rand, Moffat & Webb, counsel for Mills Bros. & Co., began heir side of the case by denying very emchatically Canfield's charges that the sales were unauthorized and his statement that his margin was always sufficient.

"Mills Bros.," he said, "notified Mr. Canfield on several occasions that his margin was exhausted, and when he failed to espond they closed out his stock, as they had a right to do. The courts have upheld the brokers in this time and time again. Any charges which Mr. Canfield choos bring he will undoubtedly bring in a law-suit and we shall be there to answer them. We offered yesterday to pay him what we considered was due to him from the firm, and our offer was refused. Although his laim is the principal one against the firm, t is not the only cause of the assignm The inability to collect accounts payable and the depreciation of securities are two other

factors. It was declared that the failure of J. W Henning in September, 1906, was not a cause. Henning was understood to be a lebtor to the Mills firm at that time to the extent of \$75,000, but a large proportion of this was settled in cash and the rest in paper. Around the Street Canfield's charges about unauthorized sales were not taken very seriously. It was pointed out that when a man opens a margin account with broker he does it with his eyes open, knowing that a sudden drop in the market nay wipe him out.

There are always a lot of suits brought by people of Canfield's stamp," said a man yesterday who is a big operator and con-stantly in danger himself of being sold out on a slump in prices, "after a big bear mar-These men expect their brokers to carry them through at their own oost when heir margin does not hold out, and if the broker is being hard pressed himself for cash and is forced to sell them out they come back with a lawauit. They are the worst kind of welchers. Canfield knows all about that. The Wall Street game is not new to him-he was in Wassermann's Reading pool."

This pool was formed last year when Reading was selling at par and was one of the most successful ever formed. It marked Reading up to 160 and then got out at the op. Ever since then Reading has been a favorite with Canfield, it is said, and he was said to have been heavily long of this stock when he was sold out by Mills Bros. Mr. Marshall said yesterday that he did not know whether Canfield was still ahead of the game of stock speculation or not. 'He made a big haul on the bear side."

Mr. Marshall said, "and then he had some

losses on the bull side, but I don't know whether they were more than his profits." It was learned that the collateral he put up at Mills Bros. was largely of Pennsylvania, Delaware and Hudson and Illinois

Central shares Mr. Campbell, counsel for the receiver. said late last night after a brief examination of the books of Mills Bros. that the liabilities would be somewhere between \$100,000 and \$200,000. The assets, in addiion to the Stock Exchange seat, are the equity on the firm's bank loans and amounts due from customers, the value of which has not been definitely learned. The banks disposed yesterday of the stock which they were holding as collateral for the firm's loans, but the amount left over was not ascertained. Regular accountants will be put on the books to-day.

The Mills brothers are sons of Gen. Samue Mills, of the United States Army, who retired two years ago. S. Frederic Mills was graduated from Harvard in 1899 and is a ember of the Racquet and Tennis Club.

NICARAGUA TO WAR AGAIN?

Report in Washington That She Plans to

Invade Salvader Once More. WASHINGTON, Aug. 22.—Central American diplomats in Washington are much exercised over a report which has reached Washington to the effect that Nicaraguan forces are planning another invasion of Salvador. No definite information has been received at the State Department, but a rumor has reached here that an expedition is being fitted out for that purpose. Senor Mejia, the Salvadorean Minister to the United States, left Washington two days ago for a short vacation in New England, but got no further than New York when he was called back on account of the threatened trouble. He has cabled to his Government for information, but thus far has heard nothing definite.

FIGHTS A SNAKE IN MIDAIR.

Reptile Descends a Rope From Which Blaster Is Suspended in a Quarry.

TRENTON, N. J., Aug. 22.-John Hutchinon, a blaster at the workhouse quarries along the Delaware River, had a midair encounter with a big pilot snake to-day that resulted in the suspension of all quarry work for the rest of the day. A hundred quarrymen watched the fight unable to ve any assistance.

Hutchinson had been lowered over the side of the quarry and was suspended about a hundred feet from the top and seventy-five feet from the bottom of the hole when his attention was attracted by a peculiar gliding movement on the rope above him. First he thought that the rope was giving way, but a moment later he saw that the movement was that of a large pilot snake which had slid onto the rope from a projecting crag and was leisurely making its way in his direction.

Escape was impossible and Hutchinson's danger was increased by the fact that he was carrying in his hand a stick of dynamite and a small drill. He dared not drop the dynamite for fear of the consequences and it was impossible for him to put up a fight with it in his hand. He managed then prepared to give battle, with the small drill as a weapon.

As the snake came within reach Hutchinson aimed a blow at its head, but the swinging of the rope made the blow a glancing one and the snake continued its downward course. The second blow was more successful and seemed to stun the reptile, which still maintained its hold on the rope but swung its head from side to side as though dased. Another blow ended the fight, the snake uncoiling from the rope and dropping into the pit below

SORRY ROOSEVELT JUMPED IN John Barroughe Would Have Had Him Abstain From "Nature Faker" Foss.

POUGHEEPSIE, Aug. 22.-John Burroughs, the author naturalist, is back at his home, Slabsides, in the mountains west of this city, after a vacation trip with his son Julian by motor boat to Lake Champlain. While away he visited Irving Batchellor, the novelist, at Tupper Lake in the Adirondacks. In answer to a query about the controversy over nature fakers, which was started by President Roosevelt's denunciation of William J. Long, Mr. Burroughs expressed regret that the President had jumped into the fray. He added:

"But he is so keenly interested and indignant at some of the things he sees that there is no use trying to dissuade him. He must take his part, and he is right about

Mr. Burroughs enjoyed his summer outing almost as much as he did the trip with the President in the Western wilds. He and his son cooked their own meals and camped out along the route.

PAUPER WITH A BANK ACCOUNT.

Being the Singular Case of Miss Bridget Martin of Utica Insane Asylum. UTICA, Aug. 22.-Miss Bridget Martin for twenty-one years a supposedly pauper patient at the Utica State Hospital for the

Insane, has a substantial bank account. The State will now be reimbursed for her care. Miss Martin, it appears, is now nearly 60 years old and from the time she was 20 years old worked for one family in this When she lost her mind, twenty-one years ago, she had saved up more than \$8,000 and unbeknown to any one had deposited

the money in the Utica Savings Bank. It has been drawing interest until the amount on deposit exceeds \$6,000. No funds were found when Miss Martin was sent to the asylum and she was committed as a charity patient. Ten days ago tendent of the hospital were taking dinner at a club and the subject of conversation turned to the matter of unclaimed deposits

in the vaults of the bank. The bank president casually remarked that there was a Miss Martin who had a sum of money or deposit in the institution and that the bank officers had for over twenty years been unable to obtain any trace of her. The mystery of her disappearance was soon solved by the hospital superintendent.

The matter came to attention in a prost court order returnable before Judge Pritchard in the matter of a claim of the State hospital against Attorney E. L. Hockridge, as committee, &c. of Miss Bridget Martin.

MARION STORY KILLS HIMSELF

ALONE AT HOME, HE SENDS A BULLET INTO HIS HEAD.

Was Julian Story's Brother, a Miniature Painter, Yachtsman and Horse Show Exhibitor-Returned From Europe Recently -Once Declared Insane.

Marion Story, the miniature painter, brother of Julian Story, the artist, and also well known as an enthusiastic yachtsman and exhibitor in the horse show, shot himself in the head with a revolver in the library of his home on his estate, Blind Brook Farm, near Port Chester, last night. He died before medical attention could reach him.

The servants said that Mr. Story was alone in the house when he shot himself. He had come back from his office in New York early in the afternoon and had dined alone. Soon after dinner he went into the library. About 8 o'clock the servants on the floor below heard a shot and running to the library they saw Mr. Story stretched on the floor below his chair with the revolver just beyond his finger tips.

Doctors were telephoned for, but before they could arrive from Port Chester the wounded man died. He had not regained consciousness. Coroner Wiesendanger of Yonkers was notified and appointed a deputy

to take charge of the body. Mr. Story had not been long back from Europe. He spent the early months of the summer in Germany and Spain seeking health and rest. His wife, it is said, is now in Spain. Since his return from Europe Mr. Story had lived alone in the large house on his estate near Port Chester, entertaining little and seeming to be depressed.

It is the opinion of friends of the dead man that he had never fully recovered from the attack of insanity which overtook him a year ago. Very suddenly it was announced on April 24, 1906, that County Judge Platt of Westchester county had signed commitment papers after an examination by Dr. E. R. Schmidt of Bloomingdale asylum and two other physicians. Mr Story was taken to Bloomingdale on April 22 and remained there until April 11 of this year, when he was removed to a private ward in the New York Hospital. His stay there was brief and he went directly to Florida upon being discharged as cured. He left Florida for Europe about a month

worries were attributed by his friends as the cause for Mr. Story's temporary insanity. Since his return from Europe he had been active in the financial district, but those who know him declare that he had met no serious reverses and that his large fortune had not been in any way

In April last Julian Story, the brother of Marion, was sued for a divorce by Emma Eames, the opera singer. At the time report of the disagreement between the artist and his artist wife was first published Marion Story refused to speak for his brother in any regard, saying that he had not known of Julian's affairs for many

Marion Story was the son of W. W. Story, the poet and sculptor, and a grandson of Justice Joseph Story of the Supreme Court. At an early age he showed the same artistendencies as his brother Julian and was educated under European masters. He never undertook art as a profession preferring to follow a life of business. His independent fortune, inherited from his father, left him free to indulge his taste for sport.

He was one of the enthusiastic race of the New York, the Larchmont and Atlantic yacht clubs. In the course of his many years' connection with those organizations he sailed many fast boats and took a prominent part on racing committees. Mr. Story was also one of the chief promoters of the National Horse Show Association. Many of his horses were entered each season and some of the honors went to his stables. He belonged to the Westchester Hunt Club, the Westchester County Club and the Apawamis Golf Club. He numbered among his city clubs the Knickerbocker, Harvard, Racquet and Luncheon.

RICHARD MANSFIELD AT HOME. Leter Reaches New London -Stood the Trip Well.

New London, Aug. 22.—Shortly after o'clock to-day Richard Mansfield, the actor, arrived from Ampersand, N Y. the private coach Commonwealth.

Mr. Mansfield walked feebly along th aiele of the car, assisted by his wife and brother Felix, and with great caution descended the steps and entered a carriage. -From the railroad station Mr. Mansfield was driven to his new cottage, Seven Acres, on Pequot avenue a short distance from

An invalid's chair was at the railroad sta-tion awaiting Mr. Mansfield and another reclining chair was also at the cottage but neither was brought into use, the actor walking, with assistance, from the carriage to the cottage door, a distance of about

fifty feet. Mr. Mansfield's brother Felix this evening reported the actor to have stood the journey well and said he showed great interest in surveying his property along Pequot avenue. He did not lie down during the trip from Ampersand nor did he seem to need

rest on after arriving at home. "Mr. Manafield will take a long rest." said the brother, "and there is no reason to believe that he will not be able to return to the stage in 1909. The reports in severa newspapers about my brother's health have been greatly exaggerated. He is now back in his old home and I assure you he is de-

EDWARDS WILL PULL THROUGH. Man Who Was Lost in the Woods Is Getting Strong Again.

OLD FORGE, N. Y. Aug. 22 .- William P. Edwards, the expert accountant of Utica who was lost nine days in the woods, is showing remarkable recuperative powers and it is not at all likely that he will die A telephone message received here to-night "Woodruff Camp" at Lake Kora, where Mr. Edwards was carried last night. says that the patient was doing far better than was expected. He gains strength hourly and is able now to eat some solid

Mr. Edwards's two sons, who used bloodhounds to find him, and gave him up for lead, left the camp to-night for Utica.

BIG FIRE IN CINCINNATI.

Loss More Than \$1,000,000 and the Flames Not Checked.

CINCINNATI, Aug. 22.-Fire destroyed to-night the greater part of four blocks bounded by Hunt street, Broadway and Court street and at 11:30 the flames were not under control

The loss is estimated at considerable more than \$1,000,000. Several persons were injured, but none fatally.

The buildings burned include the following: The warehouse of the Kroger Grocery Company, which conducts sixty retail stores, the Krehbiel Printing Company, Eagle White Lead works, Edna Smelting and Refining works, Roberts Lumber yards, Morrison & Snodgrass Planing mill and Burdick's Wagon works.

PRINCE WILLIAM AT NEWPORT. ives Official Greetings and Attends Mrs.

Fish's Dinner in His Hener. NEWPORT, Aug. 22.-Prince Wilhelm Sweden, who is to spend the remainder of the week in Newport, arrived this morning on the cruiser Fylgia. His arrival was announced by the firing of the national salute by the cruiser and an answer by Fort

During the Prince's stay he will be entertained by the members of the summe colony with a round of dinners, luncheons and dances.

Mrs. Stuyvesant Fish this evening gave a dinner for 100 guests in honor of the Prince. This was followed by a dance given by Mrs. Edward J. Berwind

In the afternoon the Prince sent one of his staff to pay his respects to the commanding officers of the various army and navy stations at Newport, which visits were later returned.

TEXAS SUES HARVESTER TRUST. Seeks to Oust Company From State and to Collect \$1,000,000 Penalties.

AUSTIN, Tex., Aug. 22.-Suit was filed this afternoon by the Attorney-General's department for the State of Texas against the International Harvester Company of America, which does business under a charter granted in Wisconsin.

The petition alleges that the defendant has violated the anti-trust law of Texas. and the State demands penalties in the sum of \$1,100,100.

It is further alleged that this con has formed an unlawful combine with the following companies: McCormick Harvester and Machinery Company, Deering Harvester Company, Plane Manufacturing Company, Warder, Bushnell & Glessnor Company, Minneapolis Harvester Company. D. Osborne & Co. and Aultman Manufacturing Company.

WILL RUN AGAINST FAIRBANKS. Indiana Prohibitionists Find a Candidate for Delegate to Methodist Conference.

Indianapolis, Aug. 22 .- A quiet canvass of prominent members of the Methodist Church for a candidate against Mr. Fairbanks for delegate to the quadrennial resulted in bringing Samuel L. Wilson, for twenty-six years a member of Grace Church, into the race as the candidate of the temperance element.

Ever since it began to be rumored that Mr. Fairbanks had served cocktails and three kinds of wine at the dinner to President Roosevelt on Memorial Day the Phalanz, the prohibition organ, has waged unceasing war on the Vice-President and has demanded that the church refuse to send him as a delegate to the quadrennial

Many conscientious Methodists have become impressed with the arguments advanced against Mr. Fairbanks, but it has been difficult to find any one who cared to stand as a candidate against the Vice-President.

TO EXTRADITE DE FESTETICS. The Count is Under Indictment Here as

a Kidnapper. Gov. Hughes yesterday signed extradition papers for Count Gyula de Festetics, a Hungarian artist, who is under arrest at Perth Amboy, N. J., charged with kidnapping his nine-year-old son Dwight on

March 20 last. De Festetics, who says he is a real Hungarian count, has been arrested probably dozen times since 1900 on a charge cidnapping his son. At one time he brought suit against his wife's attorney for alienating her affections and last October he brought a divorce suit, which has not been

The Count has insisted at the various court hearings that he wanted to get the boy away from his mother because is a believer in Christian Science and the boy is suffering from a spinal trouble which needs something besides Christian Science

reatment. Mrs. de Festeties had her husband indicted by the Grand Jury here last Tuesday.

AN INVOLUNTARY SEAGOER.

But Mr. Burton Found Pleasant Con

on the Deutschi J. S. Burton, an American resident of London, was an involuntary passenger by the Hamburg-American liner Deutschland n yesterday from Hamburg, Southampton and Cherbourg. He boarded the ship at Cherbourg to say good-by to an old friend, A. S. Chisholm of Duluth, and became so much interested in two young women voyagers that he forgot to take the tender back to French soil.

His baggage consisted of six collars that ne borrowed from his friend. He will return to England by the Deutschland.

Other arrivals by the Deutschland: Isidore Witmark, who recently completed negotiations for bringing the "Red Shoe illet" of 100 to this city; Col. Matsuiki of Tokio; Leo Harburger, Dr. Frederick J. Patton, John L. Webster, George Luders Mr. and Mrs. D. B. Cheever, E. R. Stanton, and Mrs. J. Fr ed Zimmerman, known on the stage as Edna Jackson, who will open here in the "Merry Widow."

Noci Leads for Governor of Mississippi. Jackson, Miss., Aug. 22.—Returns to-night from twenty-four towns in Mississippi give E. F. Noel a lead of 2,084 votes for Governor over Earl Brewer, the other candidate for Democratic nomination.

After all, USHER'S the Scotch

ELIHU ROOT IN A SANITARIUM

THE SECRETARY TAKING A REST AT MULDOON'S PLACE.

Has Been in Poor Health for Some Time and Is Getting in Shape for His Work at Washington-Has His Secretary With Him and Is Attending to Business.

It became known yesterday that Elihu Root, Secretary of State, is recuperating at William Muldoon's sanitarium near White Plains.

Mr.*Root went to Muldoon's place several days ago, accompanied by his secretary. Although he was suffering from overwork and fatigue, he has been able through his secretary to attend to pressing affairs. He has kept in close touch with President Roosevelt at Oyster Bay. When Mr. Root was at the Hamilton

College commencement in June friends noticed that he was not in the best of health He has been taking it easy all summer, spending most of his time at his place in On August 13 he was at Oyster Bay, in

conference with President Roosevelt, Secretary Taft and Postmaster-General Meyer. Part of the business of the conference was to look over the speech Secretary Taft was to deliver in Columbus. Mrs. Root accompanied her husband and they spent the night at Sagamore Hill.

At that time Mr. Root reiterated his denial that he had any intention of resigning from the Cabinet. Apparently it was in order to get into good shape for his duties at Washington that he decided on a short stay at Muldoon's place.

Muldoon, who used to be a champio wrestler, has had many distinguished guests at his place, which is about two miles from White Plains. Many fighters have trained there Joseph H. Choate also spent some time there.

A part of the routine at the Muldoon anitarium is to rise at daybreak, milk the cows, work in the fields and then after breakfast to trudge ten or fifteen miles scross the Westchester hills. The remainder of the day is put in with horseback riding, sparring under the direction of Mr. Muldoon, bathing and reading the

It is not known whether or not the Sec retary of State is following the regular course of exercise, but he has been seen out horseback riding and in a touring car

FIND ANOTHER JAR OF MONEY. New York Relatives of Cleveland, the North

Carolina Hermit, Unearth \$12,000. ASHEVILLE, N C., Aug. 22.-Another jan full of money belonging to the late J. W. Cleveland of Salem, N. Y., who was known as "the hermit" on account of the secluded life he led, has been unearthed.

A systematic search has been made of Cleveland's home by Henry J. Cleveland, a brother, from New York State, who reported to day to Clerk Merwin of the Superior Court that about \$12,000 has been found. Money was found hidden in many places the ground underneath the Cleveland home,

where he had lived for twenty years with an old negro servant and bodyguard. Mr. Cleveland was 80 years old and had for twenty years denied himself to all callers, He made neither friends nor acquaintances and was a picturesque character. He lived in the mountains about twelve miles from Asheville and owned several hundred cres of land. Many valuable papers were also found and stocks and bonds amount of \$10,000 or more.

WEARY COP WHO WANTS TO QUIT. But Who Has Got to Stay Until Gen. Ring.

Policeman William T. Holmes of the Church street station wants to quit his job and he can't. He was on trial before Deputy Commissioner Hanson yesterday, charged by Acting Captain Nugent with being absent without leave for five days. He appeared in civilian clothes, and when asked what explanation he had to offer he said he had become weary of the job. "Here's my shield, Commissioner,"

said: "I'm through with this game." "I haven't got the authority to accept your shield or your resignation," Deputy Hanson replied, "but I'll recommend you for dismissal, and when Commissione Bingnam returns you'll have an opportunity to quit."

"I'd like to get out easier than that," said Holmes, "but I suppose I'll have to remain on the force against my will until Gen. Bingham gets back." As acting Commissioner, O'Keeffe ha

not the power to dismiss a policeman in Gen. Bingham's absence.

READ OUT BY HEARSTITES. Judge O'Brien, Allen C. Beach and John

Cartisle Excommunicated for Bolting. WATERTOWN, N. Y., August 22 .- Judge D'Brien of the Court of Appeals, ex-Lieut. Gov. Allen C. Beach, ex-State Committeeman John N. Carlisle and a number of other prominent Democrats who last fall colted Hearst were last night read out of the caucus in their ward and cannot be andidates for office or delegates to any convention until they have purged them selves of their so-called treachery by sup porting a regular nominee of the Democratic party for President or Governor next

In the city caucuses last night all delegates and committeemen were last year identified with the Independence League movement. WON'T RUN AGAINST ALLISON Congressman Smith of Iowa Not an Aspir ant to Senatorial Honors. COUNCIL BLUFFS, Ia., Aug. 22.-Congress

nan Walter I. Smith, who has been spoken of as a candidate for United States Senator to succeed Senator Allison, to-day made the following statement: "I am not an aspirant, much less a candidate, for the United States Senate, and will not be a candidate to succeed Senator

Eugene Higgins's Varuna in Port. Eugene Higgins's steam yacht Varuna. which has been cruising in foreign waters ince last October, arrived yesterday and anchored off Stapleton. Her owner, who left her at Southampton, is expected here next week. She made the trip in eleven encountering much rough

FORTY HOURS OF FARO.

Robert Tucker Sat Through at Saratoga Without a Break -Won \$8,800.

SARATOGA, Aug. 22.-The longest single sitting at a faro bank recorded in recent years was ended at 10 o'clock this morning when Robert Tucker, the horseman, cashed in his checks at the Manhattan Club. Tucket eat down at the table at 6 o'clock Tuesday evening, buying \$2,000 worth of checks. His play was uninterrupted except for the change of dealers. He took his meals and his drinks of spring water from the layout. The game seesawed from one side to the

other, Tucker never getting more than about 3,000 to the good or bad in the whole period of play. At 10 o'clock this morning, after forty

hours of play. Tucker yawned and said that the game seemed hard to beat and he would cash in. He quit \$3,800 in.

WOODRUFF AT OYSTER BAY.

Drops In on a Yacht and Sees Loeb, but Not the President.

OYSTER BAY, N. Y., August 22.-Timothy Woodruff sailed into the harbor this afternoon. He came unannounced, called at the Executive office to see Secretary Loeb and took the secretary for a little sai on the Nomad, which belongs to a Mr. Gulick of Brooklyn. According to Mr. Loeb, Mr. Woodruff did not see the Presiient and his visit had nothing to do with

When Mr. Look was reminded that Mr. Woodruff had said in New York vesterday that he was hurrying to catch a train for his camp in the Adirondacks, his only reply was: "Well, how could be have gone to his camp when he was here this after

noon?" No one had the answer. Mr. Loeb said that Mr. Woodruff was bound for Larchmont, where he would take an automobile for New York and catch train for the Adirondacks.

WASHINGTON BANK ROBBED.

American National Employee Thought to Be in Arizona With Stolen Stocks. WASHINGTON, Aug. 22.-Edwin H. Potts. until a few days ago an employee of the American National Bank of this city, is nissing and the police are looking for him on a charge of having stolen \$11,000 of certificates of Erie Railroad stock. The police have learned that he deposited a part of the securities with a Baltimore panking house as collateral for a loan. He is believed to be somewhere in Arizena with the rest. He was under bond in the

sum of \$20,000. JOE AKKIOJOGLAU Has It Made Into Joe White, Which It Means

in Turkey. Joe Akkiojoglau got permission yester-day from Justice Brady of the Supreme Court to call himself Joe White after Norember 1 next.

Joe is a Turk, and his name means "white' in Constantinople, though Joe himself is a good sienna as to complexion, Joe complained that his acquaintances here couldn's a name

emarked that he didn't blame them

POLICEMAN ROBBED Of Part of His Uniform, Shield and Watch

-He Wants Protection. Patrolman John Hoolihan entered the West Forty-seventh street station last night very angry He was dressed in plain

"I want to make a complaint," said he to the lieutenant. "I left my flat at \$84 Tenth avenue early to-night and when I returned I found the trousers of my uniform, my shield, my signal box key and my gold watch gone. The back window was open. want this case investigated and better

police protection over there." BAND PLAYS ITS WAY IN. Italian "Artists" Oblige Ellis Island With

"The Star Spangled Banner." An Italian band of forty-two pers bound for Arrocher Park, Staten Island, arrived yesterday by the North German Lloyd steamship Main from Bremen and by mistake was directed to Ellis Island. They reported at the Barge Office pier and nsisted on being taken to the island. Their leader had the impression that they were suspected of being contract laborers and said he wanted to prove to the United States

authorities that they were artists. They appeared before a board of special inquiry, which at first refused to consider their case, as they had not been de officially. Finally the board resolved itself into a committee of musical conne and ordered the band to play "The Star Spangled Banner." After it had done so the board unanimously voted that every musician was an artist, and they crossed two ferries, one Federal and one municipal and got to Arrochar.

TOWN TARRED AND FEATHERED. Discrimination Against Cabbages Pricks Men of Athens to Action.

WAVERLY, N. Y., Aug. 22.-A while ago the inhabitants of Athens, a small town four miles from here, woke up one morning and found several rows of cabbages planted along the middle of Susquehanna street. The scandal of not having had Susquehanna street paved was thus made apparent to the town council, which hastened to close a

deal with Dr. E. C. Richel, the local inventor Dr. Richel had decided that Susquehanna street had a gravel bottom and that by pouring tar on the street a good pavement would result. He promised the council if it would provide the tar he would the labor. so on Wednesday two blocks were covered with tar and the town retired for the night. It arose to find these two blocks coated

with a cottony field of feathers. Prominent Athenians have chipped in toward a liberal reward for the apprehension of the man who did it.

CHAPLAIN JONES DISMISSED.

President Roosevelt Signs the Order Queting Him From the Navy. OYSTER BAY, Aug. 22.-President Ro velt to-day signed an order dismissing Chaplain H. W. Jones from the navy.

Jones was recently found guilty by court-martial of conduct unbecoming an officer. He is under indictment charging grand larceny in giving a check which he had no

INTER-MET WON'T OPEN BOOKS

WILL FIGHT AGAINST PUBLIC SERVICE BOARD.

Contention That as a Holding Company It Is Not Amenable to Rules of the Body-May Run Into Question of Constitutionality of the New Commission

The heads of the Interborough-Metrocolitan company have refused to open their books to the Public Service Commission. The commission has been notified that because the company is not a railroad corporation, but merely a holding concern. in the belief of the officers of the Inter-Met it is not within the jurisdiction of the commission. This became known last evening after the adjournment of the continued investigation by the commission into the local railroads.

The expert accountants employed by William M. Ivins, special counsel to the commission, to go through the books of the empanies now comprised in the Inter-Met sought to get access to the books of the Inter-Met for the purpose of ascertaining the details of the merger agreement. These books were closed to the representatives of the commission.

The members of the commission, it can be said officially, do not intend to rest quietly under the conditions. If the attiude of the Inter-Met officials is persisted in the commission will in the course of the next few days issue a peremptory order to the company to deliver up its books. When that order is issued the company, acting on advice which will be given by Paul D. Cravath and De Lancey Nicoll, the Inter-Met's counsel, will refuse to comply with it. When the next step is taken by the commission, as may be expected, to ask the courts to enforce its order the Inter-Met will meet the issue by starting proceedings to test the right of the contmission to examine the books of the corporation.

The practical effect of this development well may be to bring up the question of the onstitutionality of the act which brought the Public Service Commission into being. When the act was passed Mayor McClellar

and Comptroller Metz were anxious that the courts should pass upon its legality, but William B. Ellison, Corporation Counsel at that time, and Francis K. Pendleton, who as succeeded Ellison, both advised the Mayor and the Comptroller that in their opinion there was no doubt about the constitutionality of the act. Accepting those opinions the Mayor and the Comptroller did not go further with the contest they intended making in the courts against the supplanting of the Rapid Transit Commission by the new body.

The Inter-Met intends to fight, if not

Commission, at least the scope of the powers it is vested with in the act which created it. Unless the commission and Mr. Ivins can have access to the Inter-Met books they will be powerless to delve into the conditions under which the merger was Mr. Ivins has made so often in the course

the legal existence of the Public Service

of the merged companies. Another obstacle that Mr. Ivins has med with in his efforts to get at the facts underlying the consolidation of the various companies which are now comprised in the Inter-Met is that he has been told that the books of the old Metropolitan Street Railway Company no longer are in exist-ence. According to all that Mr. Ivine can learn these books have been destroyed When the counsel for the Interbor Metropolitan company were asked at the close of yesterday's hearing if it was true that the books of the old Metropolitan company were no longer in existence they said that they had no knowledge as to

All that they would permit themselves to say was that the books of the New York City Railway Company, which was formed in February, 1902, to take over the Metropolitan system, were kept regularly and that they would be given to the commission for inspection. The explanation also was made yesterday that there was no need for the keeping of the old books because when the New York City Railway Company was organized and a new set of books opened there was no futher use for the old books, and that in destroying them the custom had been followed of doing away with such books after they had been audited and their contents embodied in the book

whether the books had been destroyed

of the new corporation. Mr. Ivins has been depending upon these books to throw light upon the high costs charged for the electrification of the Broadway. Third, Sixth and Ninth avenue and Thirty-fourth street lines, as well as other routes. Mr. Ivins has already brought out that according to the reports of the Metropolitan company it cost \$6,472,287 to change the motive power of the Thirty-fourth street line to electricity; that several of the other routes cost from \$1,000,000 to \$3,000,000 the mile, while the Eighth avenue electrification cost only \$166.143 a mile. It was also placed on record by Mr. Ivins that the Fulton street line, still operated by horse cars, was put down on the reports of the company as having cost \$2,553,097

a mile to construct and equip. The variances in these reports of costs and how the valuations were made up Mr. Ivins was hoping to get some light upon from the books of the old Metropolitan company, but if it should turn out to be true that the old books have gone into the furnace it is doubtful if be will get the information he is seeking.

"Perhaps," said Mr. Ivins last night, "the books of the New York City Railway Company will give us the particulars we want. If they do not I am afraid that the lass of the old books will prove a serious impediment to this part of our investigation. However, I will be able to say more on this matter when our accountants have made an examination of the books of the New York City Railway Company. Although this company was formed in the early part of 1902 it was learned yesterday that the old Metropolitan books were in existence as late as June, 1904, when District Attorney Jerome was asked to take up the charges made at that time that there had been a de liberate wrecking of the Third avenue road. In continuing the examination of Presi dent Edward P. Bryan of the Interborough company Mr. Ivins yesterday only briefly followed up the line of investigation he had taken on the previous day, when he sought to show that the Inter-Met was so man lating its books by charging to constru